
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

GLENNIE GRACE GAST,

Plaintiff,

*versus*COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 9:21-CV-298

ORDER ADOPTING REPORT AND RECOMMENDATION

The Plaintiff, Glennie Grace Gast, requests judicial review of a final decision of the Commissioner of Social Security Administration with respect to her application for disability benefits. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. Judge Hawthorn issued a Report recommending denying Gast's request for remand. (Dkt. 19.) Gast filed one objection to the Magistrate Judge's Report and Recommendations, which reasserts her original point of error that the administrative law judge failed to properly evaluate Dr. Clark's opinion evidence regarding her mental limitations, as required by 20 C.F.R. 416.920c(c)(1). (Dkt. 20.)

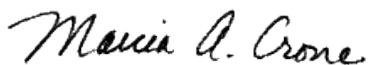
The court conducted a *de novo* review of the magistrate judge's findings, the record, the relevant evidence, objections, and applicable law. After careful consideration, the court overrules Gast's objection, adopts the magistrate judge's report, and affirms the Commissioner's decision denying benefits. As Magistrate Judge Hawthorn correctly noted, the ALJ's decision (as a whole) demonstrates that he complied with the statutory obligation to address the supportability of Dr.

Clark's opinion evidence. While Gast may disagree with the result of the magistrate judge's determination, she does not object that the ALJ's findings are unsupported by substantial evidence. She also ignores Judge Hawthorn's thorough discussion of the supporting evidence. Instead, her objection simply amounts to a request that the court reweigh the evidence and reach a different conclusion, which is not a proper basis for reversal. *Harrell v. Bowen*, 862 F.2d 471, 475 (5th Cir. 1988).

Accordingly, the court concludes that Gast's objection is without merit because the magistrate judge properly found that the ALJ's analysis was free from legal error and supported by substantial evidence. Accordingly, the court **ADOPTS** the magistrate judge's recommendation (Dkt. 19), **OVERRULES** the plaintiff's objection (Dkt. 20), and **AFFIRMS** the Commissioner's denial of benefits. A final judgment will be entered in this case, in accordance with the magistrate judge's recommendation.

Signed this date

Sep 27, 2023



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE